IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WP(C).No. 21187 of 2007(V)

PETITIONER:

DR.CHANDRA MOHAN.S.R.,
PRINCIPAL INVESTIGATOR AND SENIOR GRADE LECTURER
IN ENGLISH, U.G.C.M.PROJECT, GOVERNMENT ARTS
COLLEGE, THIRUVANANTHAPURAM,
(NOW UNDER TRANSFER TO UNIVERSITY COLLEGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.BALAGOVINDAN
SRI.M.R.SASITH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF COLLEGIATE EDUCATION,
OFFICE OF THE DIRECTOR OF COLLEGIATE
EDUCATION, THIRUVANANTHAPURAM.

3. PRINCIPAL, UNIVERSITY COLLEGE,
THIRUVANANTHAPURAM.

4. PROF: FERNANDEZ CELEENA, PRINCIPAL,
(RTD), RESIDING AT 31, GREEN GARDENS,
KANJIRAMPARA, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.21187 of 2007

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Dated this the 10th day of July, 2007.

J U D G M E N T

Petitioner, while he was working as Lecturer in English was ordered to be transferred from Govt. Arts College, Thiruvananthapuram to the University College, Thiruvananthapuram. He impugns the above order of transfer (Ext.P3) on various grounds. However I do not propose to deal with any of the contentions raised by the petitioner at this stage for two reasons:

(a) The order has already come into effect and petitioner has admittedly assumed charge at the new station.

(b) Petitioner has preferred Ext.P4 representation before respondent No.1 highlighting his grievances and requesting for a re-transfer to his old station.

2. In my view the petitioner has to address the authority concerned and get a decision in the matter.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P4 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within 3 months from the date of receipt of a copy of this judgment. While taking the decision in the matter, respondent No.1 shall also keep in view Ext.P2 guidelines published by the University Grants Commission. Needless to mention that the petitioner and any other teacher who is likely to be affected shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer
Judge.

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